



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

AGENDA TUOLUMNE COUNTY PLANNING COMMISSION BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR 2 SOUTH GREEN STREET

June 17, 2020

6:00 PM

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

PUBLIC PARTICIPATION PROCEDURES

- In order to protect public health and the safety of Tuolumne County citizens, the Tuolumne County Planning Commission Meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in the June 17, 2020 Planning Commission meeting, follow the instructions below. For detailed Zoom instructions go to the Agenda Packet <https://www.tuolumnecounty.ca.gov/AgendaCenter/Tuolumne-County-Planning-Commission-8>. if you need swift special assistance during the Planning Commission meeting, please call **209-770-5423**.

1) Use the link to join the webinar: <https://us02web.zoom.us/j/82887616993> (Webinar ID: 828 8761 6993)

2) During the public comment period you will have the option to “*raise your hand*” if you would like to comment on a project or during the public comment portion of the meeting.

If participating by computer:

- After clicking the “*raise your hand*” option, please wait until a staff member unmutes your microphone.
- Once staff has unmuted your microphone you will be asked to provide comments.
- A staff member will notify to you when you have 30 seconds remaining and again when your time is up.
- Once your allotted time is up, a staff member will mute your microphone and “*lower your hand*”.

If participating by smartphone:

- If you are participating from your smartphone, you will also have a “*raise your hand*” feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment. Staff will assist as described above.

If participating by telephone:

- If you are participating via telephone call, you will need to press *9 (star 9) to “*raise your hand*”, and when you are unmuted you will hear “*you are unmuted*” allowing you to provide public comment. Staff will assist as described above.

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (communityresources@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting. Comments must be received by the Community Development Department Director no later than 4:00 PM on the afternoon of the noticed meeting.

PLANNING COMMISSION BUSINESS: 6:00 p.m.

1. COVID- 19 Public Comment Procedures
2. Reports
 - a. Commissioners and Staff
 - b. Board of Supervisors Planning Committee Representative

c. Agricultural Advisory Committee Representative

3. Minutes of the Meeting of May 20, 2020

PUBLIC COMMENT: 15 minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

PUBLIC HEARING: 6:00 p.m.

NEW ITEMS:

1. **GATEWAY HUB, LLC**, Resolution for General Plan Amendment GPA20-002 to change the General Plan land use designation of a 4.962± acre parcel from Public (P) to General Commercial (GC).

The project site is located on the southeast side of State Highway 120, approximately 1,000± feet northeast of the intersection of State Highway 120 and Wards Ferry Road, in the community of Groveland. The project site is within the northwest ¼ of Section 29, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian and is within Supervisorial District 4. Assessor's Parcel Number 066-140-022.

2. **DIETRICH/FRERE/GARDELLA,**

1. Ordinance for Zone Change RZ18-006 to rezone 137.34± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) and MU:MX (Mixed Use:Mobile Home Exclusion Combining) under Title 17 of the Tuolumne county Ordinance Code (TCOC) as follows:

Proposed Zoning	Acreage
RE-3	26.8±
RE-5	35±
A-10	29±
MU	19±
O	27.5±

2. Tentative Parcel Map T18-024 to divide a total of 137.34± acres into four parcels and a remainder as follows:
Parcel 1-A18.30± acres, Parcel 1 10.57± acres, Parcel 2 26.82±, Parcel 3 40.01± acres, and a remainder of 41.77± acres.

The project site is located at 19920 and 19930 Kelly Drive and 13050 Fir Drive in the community of Sonora. The project site has two access roads, one is approximately 1120± feet southwest of the intersection of Cabezut Road and Kelly Drive and the second access is 800 feet north of Mono Way. The project site is located within a portion of Section 32, Township 2 North, Range 15 East, Mount Diablo Base and Meridian and within Supervisorial District 1. Assessor's Parcel Numbers 044-590-001 and 044-590-003.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda, or other materials provided by the County to the Planning Commission prior to the meeting are available for review online at www.tuolumnecounty.ca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Planning Commissioners to participate by teleconference; and under Order N-29-20, Accessibility Requirements.



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

April 22, 2020

48 Yaley Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
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www.tuolumnecounty.ca.gov

TO: Tuolumne County Planning Commissioners
FROM: Quincy Yaley, AICP Community Development Department Director
RE: Zoom Video and Teleconference for Planning Commission Meetings

In response to increasing risks of exposure to the coronavirus (COVID-19), the Tuolumne County Planning Commission meeting will be conducted and participated via Zoom. Video conferencing via Zoom will allow the Commission and County to adhere to social distancing requirements of the Brown Act and provide a way for the public to provide public comment live during the meeting. The Chair of the meeting will set the time length public comment at each item. You are not required to identify yourself in order to provide comments during the meeting.

Below is the Zoom link and Webinar ID needed to participate or observe the meeting:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82887616993>

Or iPhone one-tap :

US: +16699006833,,82887616993# or +13462487799,,82887616993#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 828 8761 6993

International numbers available: <https://us02web.zoom.us/j/82887616993>

The public can view the meeting from their smartphone, on their computer browser, or listen on their telephone. Zoom does not require an account to attend the meeting, but if the public wishes to create one, their basic accounts are free.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the Zoom meeting. The Chair will pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed county staff will notify the Chair that there is no public comment.

Members of the public can also choose to watch the meeting and do not have to comment during the meeting. If a member of the public does not want to provide public comment live, they can provide public comment prior to the meeting via email to the Community Development Department Director at communityresources@tuolumnecounty.ca.gov. If you would like your comments to be included in the record, please send comments to the above email address by 4:00 p.m. of the day of the noticed meeting.

If anyone is having technical difficulties with Zoom, they can visit Zoom's support page for helpful tips: <https://support.zoom.us/hc/en-us/categories/201146643>.

Below are step by step instructions on how to join and interact as an attendee via Zoom.

JOINING A WEBINAR BY LINK

- To join the webinar, click the link that we provided above
- If you are signed in, change your name if you do not want your default name to appear.
- If you are not signed in, enter a display name.

MANUALLY JOINING A WEBINAR

- Use the 9-digit meeting ID/webinar ID 931 7485 4309
- Sign in to the Zoom Desktop or Mobile App
- Click or tap **Join a Meeting**
- Enter the 9-digit webinar ID, and click **Join** or tap **Join Meeting**
- If prompted, enter your name and email, then click **Join Webinar** or tap **Join**.
- You may change your name if you do not want your default name to appear, as you are not required to state your name.

WAITING FOR HOST TO START THE WEBINAR

- If the host has not started broadcasting the webinar, you'll receive a message letting you know to "Please wait for the host to start the meeting".

PUBLIC COMMENT

- During the public comment period you will have the option to "raise your hand" if you would like to comment on a proposed project or during the public comment portion of the meeting.
- Once you have clicked the "raise your hand" option, please wait until a staff unmutes your microphone.
- Once staff has unmuted you will have three minutes to speak.
- A staff member will verbally communicate to you and the Commissioners when you have 30 seconds remaining and then when your time is up.
- Once your allotted time is up, a staff member will mute and "lower your hand".
- If you are participating from your smartphone, you will also have a "raise their hand" feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment.

- If you are participating via telephone call, you will need to press *9 (star 9) to “raise their hand”, and when you are unmuted you will hear “you are unmuted” allowing you to provide public comment.

END OF MEETING

- If you would like to leave the meeting before it ends, click **Leave meeting**. If you leave, you can rejoin if the webinar is still in progress, as long as the host has not locked the webinar.



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

April 22, 2020

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TO: Tuolumne County Planning Commissioners

FROM: Quincy Yaley, AICP Community Development Department Director

RE: Public Hearing Procedures

In light of current COVID 19 Health Orders and the Planning Commission meeting being held via the Zoom Platform, County Counsel has advised that the Planning Commission may modify the public comment procedures for public hearings at the June 17, 2020 meeting.

Due to the modified meeting format and tele-conferencing meeting procedures, the Chair may choose to allow public comment on the project in an alternative fashion, rather than calling for those in favor, those in opposition, those neutral, and then any rebuttals or surrebuttals. The Chair may take public comment on the project in any order in lieu of the calling for those in favor, opposition, neutral, rebuttals, and then surrebuttals.

The Commission may elect to allow the applicant or applicant representative a specific time to speak on the project prior to taking public comments on the item. This opportunity could have a specific time length allotted, such as five or ten minutes.

As a reminder, those who wish to provide information during the public comment are not required to provide their name. County staff will notify the Chair of any individuals who wish to provide testimony and will limit the testimony to the time limit identified by the Chair.

If an item on the agenda is not identified as a "public hearing", public comment is still required and can be conducted in a similar format to the modified procedures above.

All votes require a roll call with each commissioner to be named by County Staff prior to stating their vote. The Chair shall also identify by name the commissioner who initiated the motion and the name of the commissioner who seconds the motion. After a second is named, the Chair must allow County staff to complete a roll call vote.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the zoom meeting. It is recommended that the Chair pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed County staff will notify the Chair that there is no further public comment.

Staff may need to respond to emails or phone calls from members of the public during the meeting to provide assistance to the public if they encounter problems using the Zoom platform. Staff requests that the Chair allow additional time as needed to ensure that members of the public can engage in the meeting.

GATEWAY HUB, LLC

SURFACE/MINERAL

RIGHTS OWNER: Gateway Hub, LLC

APPLICANT: Mary Curtis

DATE: April 30, 2020

PROJECT AND LOCATION

PROJECT

DESCRIPTION: Resolution for General Plan Amendment GPA20-002 to change the General Plan land use designation of a 4.9± acre parcel from Public (P) to General Commercial (GC).

LOCATION: The project site is located on the southeast side of State Highway 120, approximately 1,000± feet northeast of the intersection of State Highway 120 and Wards Ferry Road, in the community of Groveland. The project site is within the northwest ¼ of Section 29, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian and is within Supervisorial District 4. Assessor's Parcel Number 066-140-022.

GENERAL PLAN: The project site is designated Public (P) by the 2018 Tuolumne County General Plan land use diagrams. The Tuolumne County General Plan indicates that the proposed General Commercial (GC) land use designation is compatible with the current GC zoning district.

ENVIRONMENTAL EVALUATION

After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines* because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The General Plan Amendment will be used to update the General Plan designation of an undeveloped parcel from Public (P) to General Commercial (GC) to be consistent with the underlying General Commercial (GC) zoning and the surrounding parcels. The proposed project will not result in an increase in the number of parcels. There is no development on the site proposed with this application. The project is limited to the requested general plan amendment from P to GC. Therefore, it can be seen with certainty that the proposed project will not have a significant effect on the environment.

RECOMMENDATION

1. Community Development Department Staff recommends approval of General Plan Amendment GPA20-002 based upon the following findings and contingent upon adoption of the Master Resolution amending the General Plan:
 - A. The proposed General Plan Amendment is consistent with the Tuolumne County General Plan.

GATEWAY HUB, LLC

- B. The project site is suited to the uses permitted under the proposed land use designation.
- C. It is in the public interest to amend the Tuolumne County General Plan to allow use of the project site which is consistent with the policies and programs of the General Plan and the land use patterns of the area surrounding the project site.
- D. Amending the land use designation of the project site is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines*.

GENERAL INFORMATION

Site Description

- 1. The project site consists of one legal parcel which is 4.9± acres. This parcel was previously created and designated Public to be utilized as road access to accommodate development on the site that was planned over 20 years ago. Development of the site was not completed however, it was graded and a gas station was partially constructed on the site. The project site is located at an approximate elevation of 2,900 feet above mean sea level and is located within the Groveland Community Services District service area for water and sewer. There are no existing connections on the project site at the present time. Pacific Gas and Electric (PG&E) provides electricity in the vicinity of the site.

Project Description

- 2. On April 23, 2020 an application was submitted to the Community Development Department for General Plan Amendment GPA20-002. The proposed General Plan Amendment will be to change the General Plan designation of an undeveloped parcel from Public (P) to general Commercial (GC) to be consistent with the General Commercial (GC) zoning on the site and the surrounding parcels. The proposed General Plan Amendment only applies to APN 066-140-022 and none of the surrounding parcels.

Project Site History

- 3. Tentative Parcel Map 85T-46 was approved on November 5, 1985. Conditions 2 & 3 of the map identified the dedication of a 50-foot road and public utility easement with proposed access roads named by the County Board of Supervisors. The project site is designated Public since the parcel was offered for dedication as public roads. The roads were never accepted because the site was not developed.
- 4. Site Development Permit #148 was approved by the Planning Director on March 13, 1986, to construct a 70,000 square foot commercial shopping center. This permit was never activated and has since expired.

General Plan

- 5. The proposed General Plan land use designation of the project site is GC. The GC designation provides for a variety of sales and service establishments which serve both the residents of Tuolumne County and its visitors. This designation is found within urban areas and along highway corridors to provide large scale retail and office operations in buildings not exceeding 50 feet in height. Accessory outdoor storage and display areas are permitted

GATEWAY HUB, LLC

under this designation. Establishments in this category have a larger market area and greater volume of customers than those under the Neighborhood Commercial designation. Buildings in this designation are limited to 50 feet in height.

6. Table 1.3 of the Community Development and Design Element of the General Plan indicates that the existing C-1 zoning district is compatible with the proposed GC designation. The GC land use designation is consistent with other parcels in the vicinity.

Ordinance Code

7. The C-1 zoning allows for a variety of sales establishments which serve both the resident and traveling public. Development within this district shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the policies of the general plan. There is no development proposed on the project at this time. Any future development will need to go through the required discretionary review process if it triggered the need for a Conditional Use Permit, Site Development Permit, or other entitlement.

Wildlife and Habitat

8. The Tuolumne County Wildlife Habitat Maps indicate that the montane-hardwood conifer (mhc) and annual grassland (ags) habitats are present on site. Vegetation on site includes live oak, ponderosa pine, foothill gray pine and annual grasses. The ags habitat is considered a fourth priority habitat. Fourth priority habitats include common habitats that are of relatively low value to wildlife, and no mitigation is needed for fourth priority habitats. The mhc habitat is third priority. Third priority habitats include common habitats that are of considerable value to wildlife. No development is proposed, therefore, there will be no impacts to wildlife. No mitigation for cumulative impacts to wildlife is needed for General Plan Amendment GPA20-002.
9. The project is not proposing any development. Approval of General Plan Amendment GPA20-002 will not result in an increased number of parcels.
10. Section 21083.4 of the Public Resources Code requires counties to determine, through the environmental review process, the significance of impacts to native oak woodlands and, when appropriate, to mitigate those impacts. Oak woodland is defined as a stand of native vegetation containing predominately oak species where the canopy cover is 10 percent or greater. There are no oak woodlands on site, therefore, mitigation is not needed.
11. The California Department of Fish and Wildlife's Natural Diversity Data Base (CNDDDB) maps were consulted for known locations of special status plant and animal species. The CNDDDB maps do not indicate the presence of special status plants or animals within the vicinity of the project site.

Cultural Resources

12. A cultural resource study is required when specific indicators are found on a project site. The cultural resource indicators include such things as containing or being adjacent to a parcel that contains known archaeological or historic sites, or the site contains Table Mountain, tunnels, adits or shafts, waste pile rocks, ditches, rock retaining walls, historic era mining, evidence of Native American habitation, structures older than 50 years, mature non-native vegetation, or is within 100 meters of a river, spring, perennial or intermittent stream, as indicated by a blue line on the USGS quadrangle maps. There are no indicators to suggest

GATEWAY HUB, LLC

that a cultural resource study would be required and there is no development proposed on the site. Therefore, no further cultural resource study was required for the proposed project.

Native American Consultation

13. Section 65352.3 of the Government Code requires city and county governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places during the processing of a General Plan Amendment. The intent of this law is to provide local tribes with an opportunity to participate in local land use decisions at an early planning stage in order to protect, or mitigate impacts to, cultural places. The County is required to notify tribes with traditional cultural places in the vicinity of the project site of the opportunity to consult regarding the proposed General Plan Amendment. The tribes have 90 days from receipt of the initial notification to request consultation. The Native American Heritage Commission has advised the County that tribes with traditional cultural places that include the project site include the Tuolumne Band of Me-Wuk Indians and the Chicken Ranch Rancheria of Me-Wuk Indians. The Buena Vista and Washoe tribes were also notified.
14. Letters offering the opportunity to consult regarding General Plan Amendment GPA20-002 were sent to the tribes on April 29, 2020. A second letter was mailed on May 29, 2020, which is approximately 45 days prior to consideration of the application by the Board of Supervisors. The purpose of the second letter is to offer each tribe the opportunity to comment on the project prior to final action on the application. A response was received by the Buena Vista tribe requesting notification if any development is proposed in the future.

Adjoiner Comments

15. The Community Development Department notified adjoining property owners within 500 feet pursuant to section 17.68.130(D)(4) of the proposed project via mail. Notices were sent May 11, 2020 to the owners of 13 adjoining parcels. The Community Development Department did not receive a response. Property owners within 1,000 feet were notified of the public hearing before the Planning Commission meeting.

Advisory Agency Review

16. The application for General Plan Amendment GPA20-002 has been reviewed by several State and County agencies. Oak Grove Cemetery District responded with a request for notification of any future development. No other substantial comments were received.

General Plan Amendment Findings

17. Evidence and staff's response to each required finding of the General Plan Amendment application is discussed below.

A. The proposed General Plan Amendment is consistent with the Tuolumne County General Plan.

Consistency with the General Plan is discussed and demonstrated in #5 and #6 above in this report.

B. The project site is suited to the uses permitted under the proposed land use designation

GATEWAY HUB, LLC

Consistency with the uses permitted under the proposed designation is discussed and demonstrated in #5 and #6 above in this report.

- C. *It is in the public interest to amend the Tuolumne County General Plan to allow use of the project site which is consistent with the policies and programs of the General Plan and the land use patterns of the area surrounding the project site.*

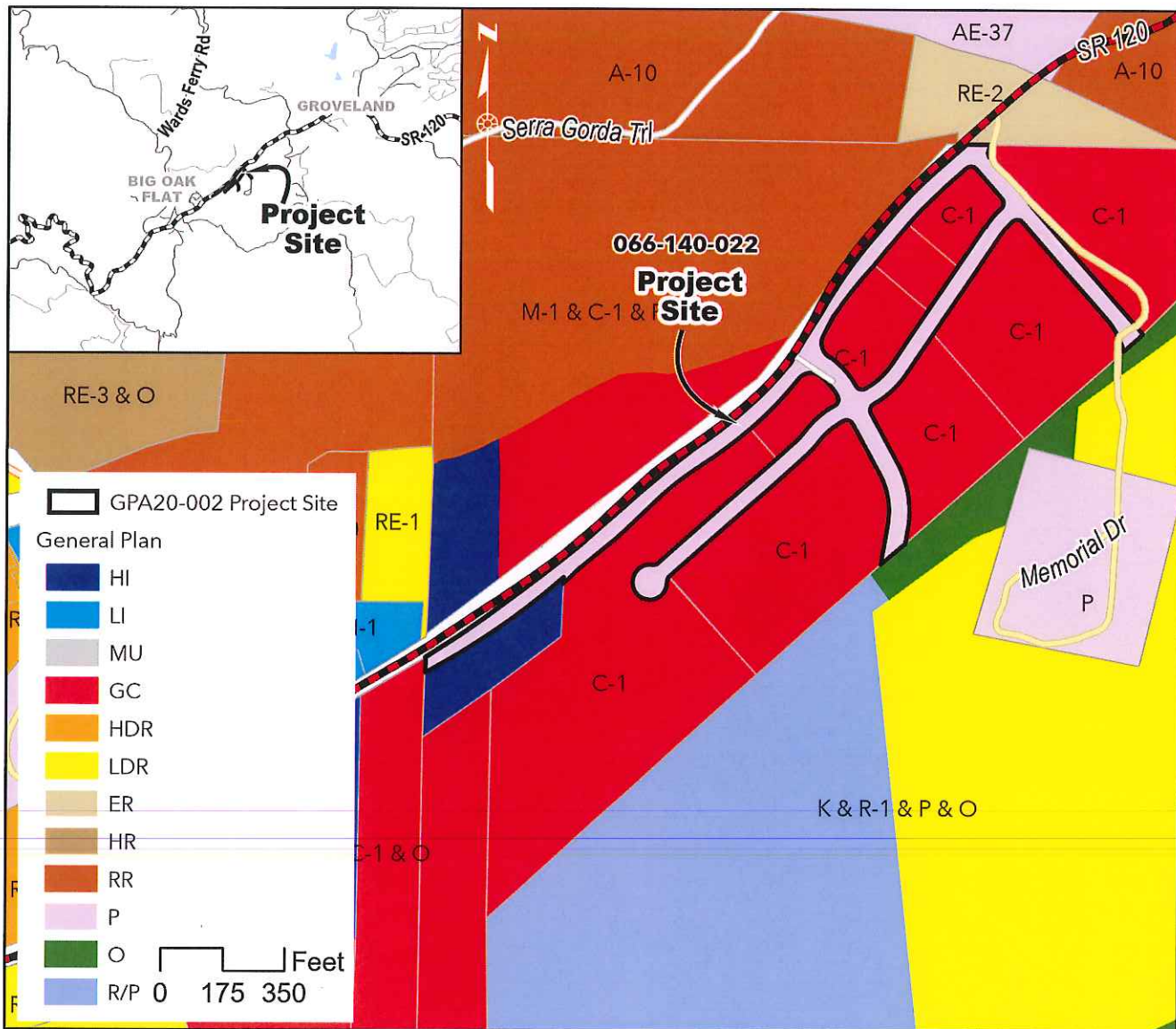
The GC designation is consistent with parcels directly surrounding the project site. See #7 above in this report for additional information.

PREPARED BY: Terrilyn Turner, Land Use Technician

S:\Planning\PROJECTS\General Plan Amendment\2020\GPA20-002 Gateway Hub, LLC\Application Review\Agenda Report-Draft.doc

GATEWAY HUB, LLC

Attachment 1: Agenda Map



Projects: GPA20-002

Owner: Gateway Hub, LLA

Applicant: Mary Curtis

APNs: 066-140-022

Acres: 4.9± acres

Current Zoning: C-1

Current General Plan Designation: P

Project Description:

-Resolution for General Plan Amendment GPA20-002 to change the General Plan land use designation from Public (P) to General Commercial (GC).

Supervisor District No. 4



OFFICE OF ENVIRONMENTAL COORDINATOR

Quincy Yaley, AICP
Environmental Coordinator

NOTICE OF EXEMPTION

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
209 533-5616 (fax)
209 533-5909 (fax - EHD)
www.tuolumnecounty.ca.gov

PROJECT TITLE: General Plan Amendment GPA20-002

**PROJECT
PROPONENT:** Gateway Hub, LLC

LOCATION: The project site is located on the southeast side of State Highway 120, approximately 1,000± feet northeast of the intersection of State Highway 120 and Wards Ferry Road, in the community of Groveland. The project site is within the northwest ¼ of Section 29, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian and is within Supervisorial District 4. Assessor's Parcel Number 066-140-022.

COUNTY: Tuolumne

**PROJECT
DESCRIPTION:** Resolution for General Plan Amendment GPA20-002 to change the General Plan land use designation of a 4.962± acre parcel from Public (P) to General Commercial (GC).

**APPROVING
AGENCY:** Tuolumne County

EXEMPT STATUS (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268)
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a))
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- ☒ Exemption (Sec. 15061(b)(3))
- ☐ Exemption (Sec.)

RATIONALE FOR EXEMPTION: After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines* because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The General Plan Amendment will be used to update the General Plan designation of an undeveloped parcel from Public (P) to General Commercial (GC) to be consistent with the underlying General Commercial (GC) zoning and the surrounding parcels. The proposed project will not result in an increase in the number of parcels or an increased development potential of the project site. There is no development on the site proposed at this time. The project only consists of the general plan land designation request. Therefore, it can be seen with certainty that the proposed project will not have a significant effect on the environment.

LEAD AGENCY CONTACT: Terrilyn Turner

TELEPHONE NUMBER: (209) 533-5633

Signature: _____
Quincy Yaley, AICP, Environmental Coordinator

Date: _____

DIETRICH-FRERE-GARDELLA

DATE: June 4, 2020

SURFACE/MINERAL

RIGHTS OWNER: Elizabeth B. Dietrich, Stephen M. Dietrich III, Monica V. Frere, and Christopher B. and Denise Gardella

APPLICANT: Land and Structure

PROJECT AND LOCATION

PROJECT

DESCRIPTION:

1. Ordinance for Zone Change RZ18-006 to rezone 137.34± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) and MU:MX (Mixed Use:Mobile Home Exclusion Combining) under Title 17 of the Tuolumne county Ordinance Code (TCOC) as follows:

Proposed Zoning	Acreage
RE-3	26.8±
RE-5	35±
A-10	29±
MU	19±
O	27.5±

2. Tentative Parcel Map T18-024 to divide a total of 137.34± acres into four parcels and a remainder as follows:

Parcel	Proposed Acreage
1-A	18.30±
1	10.57±
2	26.82±
3	40.01±
Remainder	41.77

LOCATION:

The project site is located at 19920 and 19930 Kelly Drive and 13050 Fir Drive in the community of Sonora. The project site has two access roads, one is approximately 1120± feet southwest of the intersection of Cabezut Road and Kelly Drive and the second access is 800 feet north of Mono Way. The project site is located within a portion of Section 32, Township 2 North, Range 15 East, Mount Diablo Base and Meridian and within Supervisorial District 1. Assessor's Parcel Numbers 044-590-001 and 044-590-003.

GENERAL PLAN:

The project site is designated Estate Residential (ER), Homestead Residential (HR), and Mixed Use (MU) by the Tuolumne County General Plan land use diagrams. The proposed zoning districts are consistent with the Tuolumne County General Plan.

ENVIRONMENTAL EVALUATION

On January 3, 2019, the Board of Supervisors certified an environmental impact report (EIR) for the Tuolumne County General Plan Update. The EIR for the General Plan Update was prepared as a program EIR under the provisions of Section 15168 of the *State CEQA Guidelines*. As a program

DIETRICH-FRERE-GARDELLA

EIR, the document adopted by the Board of Supervisors adequately addressed the potential environmental impacts associated with the comprehensive update of the County's constitution for growth including certain implementation activities and provided for streamlining of the environmental review process for projects proposed subsequent to the certification of the EIR. The proposed project entails rezoning the subject property consistent with the General Plan. The rezoning of parcels consistent with the General Plan was addressed in the Program EIR for the General Plan and, therefore, pursuant to Section 15162 of the *State CEQA Guidelines*, no additional review under the California Environmental Quality Act is required for the proposed zone change.

RECOMMENDATION

1. Community Resources Agency Staff recommends approval of Zone Change RZ18-006 based upon the following findings:
 - A. The proposed Zone Change is consistent with the Tuolumne County General Plan.
 - B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.
 - C. The project site is suited to the uses permitted under the proposed zoning district.
 - D. The potential significant environmental impacts of the proposed project were adequately addressed in a previously prepared Environmental Impact Report; therefore, no further environmental review is required for the project under the California Environmental Quality Act (CEQA) pursuant to Section 15162 of the *State CEQA Guidelines*.

GENERAL INFORMATION

Site Description

1. The project site is located at 19920 and 19930 Kelly Drive and 13050 Fir Drive, in the community of Sonora, approximately 480± feet northeast of the intersection of Mountain View Road and Fir Drive and 1,100± feet south of the intersection of Cabezut Road and Kelly Drive. The project area consists of APN 044-590-001, a 99.72± acre parcel and APN 044-590-003, a 37.00± acre parcel. The project site is developed with three single-family dwellings. Access to the project site is provided from Fir Drive, a paved County-maintained road in good condition and Kelly Drive, a private road maintained by Quail Ridge Ranch Homeowners Association. The elevation on the project site is between 2,100 and 2,400± feet above mean sea level. The majority of the site has slopes ranging between 5% and 9%.

Project Description

2. On June 29, 2018 the property owners submitted an application for T18-024 a tentative parcel map to divide APNs 044-590-001 and 059-590-003. The proposed map is inconsistent with 17.08.040 of the Tuolumne County Ordinance Code (TCOC) because the land division would create parcels that are less than thirty-seven gross acres in area. Therefore, Zone Change RZ18-006 is necessary to facilitate the proposed tentative parcel map and resolve the inconsistencies with the TCOC. The parcel map will be considered by the Tuolumne County Surveyor at a later date.
3. On June 29, 2018, the property owners also submitted an application for Zone Change RZ18-006 to rezone a 18.30± acre portion of APN 059-590-001 from AE-37 to A-10 (General Agricultural) and a 0.22± acre portion of APN 059-590-003 from AE-37 to M-U:MX

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(Mixed-Use:Mobilehome Exclusion Combining) under Title 17 of the Tuolumne County Ordinance Code. The zone change is requested to facilitate Tentative Parcel Map T18-024.

4. A revision was submitted on November 27, 2019 to update parcel configuration and the proposed zoning districts for each parcel. Another revision was submitted on March 20, 2020 updating the proposed zoning districts to ensure conformity with the existing General Plan land use designations.
5. The project was deemed complete on January 14, 2020 and is therefore subject to the 2018 Tuolumne County General Plan.

General Plan

6. The project site is designated Estate Residential (ER), Homestead Residential (HR), and Mixed Use (MU) by the Tuolumne County General Plan land use diagrams. The portions of the project site that are proposed to be rezoned to MU will contain the MU General Plan land use designation. Table 1.3 in Volume II of the 2018 Tuolumne County General Plan indicates that the M-U zoning is consistent with the MU land use designation and that Open Space zoning is consistent with all General Plan land use designations.
7. The portion of the project site that is proposed to be rezoned to A-10 will contain the ER and HR General Plan designations. The portion that is proposed to be rezoned to RE-3 will contain the ER General Plan land use designation. The portion of the project site that is proposed to be rezoned to RE-5 will contain the HR and ER land use designation. The 2018 General Plan indicates that in addition to the compatible zoning districts listed in Table 1.3, less intensive residential and agricultural zoning districts are compatible with the residential land use designations. Because the proposed zoning districts are residential and agricultural zoning districts that are less intensive than their respective General Plan designations, the proposed zoning is consistent with the existing land use designations. Therefore, the proposed project may be found to be consistent with the Tuolumne County General Plan. See Table 1 below for additional information.

Ordinance Code

8. Following approval of Zone Change RZ18-006 and Tentative Parcel Map T18-024, proposed Parcel 1 will be zoned MU. The purpose of the MU zoning district is to provide for a mixture of residential, commercial and recreational facilities in an urban setting. Proposed Parcel 1 is located in an area served by public water and sewer and is adjacent to commercial and residential development. The minimum size for parcels zoned MU is 2,500 square feet in area and 50 feet in width at the front setback line. Proposed Parcel 1 meets the minimum size requirements. The maximum residential building intensity in the MU district is 15 dwelling units per acre. Proposed Parcel 1 will contain one single family dwelling following approval of the project. See Table 1 below for additional information.
9. Following approval of Zone Change RZ18-006 and Tentative Parcel Map T18-024, proposed Parcel 1A will be zoned A-10. The purpose of the A-10 district is to provide for country-estate living on parcels less than twenty acres in area while maintaining areas for the commercial production of food and fiber where such agricultural uses can exist without the encroachment of incompatible land uses. The minimum parcel size in the A-10 district is 10 gross acres in area. Proposed Parcel 1A meets the size requirements of the A-10 zoning district. The maximum residential density in the A-10 zoning district is 1 dwelling per 10 acres with additional units possible for agricultural labor housing or Accessory Dwelling Units. Proposed Parcel 1A is currently developed with one single family dwelling, which is

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consistent with the residential density in the A-10 zoning district. See Table 1 below for additional information.

10. Following approval of Zone Change RZ18-006 and Tentative Parcel Map T18-024, proposed Parcel 2 will be zoned RE-3. The purpose of the RE-3 district is to provide areas where persons may enjoy country estate type living while engaged in limited agricultural pursuits or maintaining livestock. The minimum size requirements for parcels zoned RE-3 is 3 gross acres in area and 100 feet in width at the front setback line. Proposed Parcel 2 meets the minimum size requirements for the RE-3 zoning district. The maximum residential building intensity in the RE-3 zoning district is one dwelling unit per 3 acres, with additional possible for Accessory Dwelling Units. Proposed Parcel 2 is currently undeveloped. See Table 1 below for additional information.
11. Following approval of Zone Change RZ18-006 and Tentative Parcel Map T18-024, proposed Parcel 3 would be zoned RE-5. The purpose of the RE-5 district is to provide a low density residential zoning classification offering country-estate type living conditions while maintaining large areas of open space dedicated to agricultural pursuits, grazing or left undisturbed. The minimum size requirements in the RE-5 district is 5 gross acres and 200 feet in width at the front setback line. Proposed Parcel 3 meets the minimum size requirements. The maximum residential building intensity in the RE-5 zoning district is one dwelling unit per 5 acres. Parcel 3 will contain one single-family dwelling following approval of Tentative Parcel Map T18-024, which is consistent with the residential density of the RE-5 zoning district.
12. Following approval of Zone Change RZ18-006 and Tentative Parcel Map T18-024, the remainder parcel would be zoned A-10 and MU. The area zoned MU will match the portions of the parcel containing the MU General Plan land use designation. The remainder parcel meets the minimum size requirements for the A-10 and MU zoning districts. The Remainder Parcel is undeveloped. See Table 1 below for additional information.

Table 1: Site Conditions

Parcel	Size Following Map Approval (gross acres)	General Plan land use designation	Proposed Zoning for BOS consideration	Improvements
Parcel 1	10.57	MU	MU & O	1 SFD
Parcel 1A	18.30	ER	A-10 & O	SFD, detached garage, septic system, water tank
Parcel 2	26.69	ER	RE-3	vacant
Parcel 3	40.01	HR & ER	RE-5 & O	SFD, septic system
Remainder	41.77	HR & MU	A-10, MU & O	vacant

Traffic

13. The project is accessed via Fir Drive and Kelly Drive. Fir Drive is a publicly-dedicated, County-maintained road. Kelly drive is a publicly-dedicated, privately maintained road. The Engineering Division of the Department of Public Works has reviewed the proposed project and is requesting road improvement plans to be submitted for approval for the internal common driveway, which will provide access to the parcels created.
14. The estimated project total traffic generation is 10 vehicle trips per day (VTPD) multiplied by the number of detached single-family residences. The project is proposing 4 parcels and a

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remainder with a maximum density of one primary single-family dwelling and a secondary ADU per parcel. There are three existing primary single-family residences on the project site. Therefore, an additional 7 single family dwellings may be permitted on the site at full buildout. The estimated traffic at full build out of the site is as follows:

10 Single-family residences x 10 VTPD = 100 VTPD (at maximum build out)

The County's threshold for requiring a traffic impact analysis is 500 vehicle trips per day or 50 vehicle trips at peak times (morning and afternoon rush hour). Due to the low traffic volumes anticipated to be generated by the proposed project, a traffic impact analysis was not required for this project. The project will not generate significant traffic or create un-safe roadway conditions.

15. Pursuant to Chapter 3.54 of the TCOC, new development must mitigate its cumulative impact on the County circulation system. To mitigate this impact, the project proponent or subsequent developer shall pay an appropriate Traffic Impact Mitigation Fee as determined when future uses are proposed use on site. This fee is required to be paid prior to issuance of a Certificate of Occupancy for any future residences or other applicable structures constructed on the project site.

Wildlife and Habitat

16. The Tuolumne County Wildlife Habitat Maps indicate that the project site contains the blue oak woodland (bow), blue oak pine (bop), VRI, annual grassland (ags), and residential park (rsp) habitat types. The VRI habitat is considered a second priority habitat, which are habitats that are essential for maintaining diverse and abundant wildlife in the County. The bow and bop habitats are considered third priority habitats, which are common habitats that are of considerable value to wildlife. The ags and rsp habitats are considered fourth priority habitats, which are common habitats that are of relatively low value to wildlife.
17. The applicant is proposing to designate a total of 27.47± acres to Open Space zoning to protect oak woodland habitat and the riparian habitats on site, which are the highest priority habitat types on site. Approximately 20% of the project site will be protected with Open Space zoning, which is consistent with the recommendations of the Tuolumne County Wildlife Handbook. No additional mitigation for cumulative impacts to wildlife or oak woodland mitigation is required for the proposed project.
18. The California Department of Fish and Wildlife's Natural Diversity Data Base (CNDDB) maps were consulted for known locations of special status plants and special status animals. There are no known special status plant or animals species in the vicinity of the project site.

Cultural Resources

19. A cultural resource study was prepared by Patrick GIS Group, Inc. A records search was conducted with the Central California Information Center in August 2019. The records search identified three previously recorded resources within the project site. A pedestrian field survey was conducted by Ian Patrick in September 2019. The field survey identified three newly identified resources and four isolated resources within the project site, in addition to the three previously identified resources. The four isolated resources are not eligible for listing under the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP), and are therefore, not considered significant resources. No further mitigation is needed for the isolated features.

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The three newly identified resources include the residence at 13050 Fir Drive, an earthen dam, and sparse trash scatter. None of the newly identified resources are eligible for listing under the CRHR or NRHP. Therefore, the newly identified resources are not considered significant and no additional mitigation is required.

The three previously identified resources include the Sonora Ditch, the Shaw's Flat Ditch, and the Tuolumne County Water Company Ditch and Flume System. The Sonora Ditch, Segment 3 was determined to be ineligible for listing due to extensive alterations to the ditch and the ditch's lack of integrity. The Sonora Ditch is not considered a significant resource and no additional mitigation was necessary. However, much of the Sonora Ditch falls within the proposed area of Open Space protecting wildlife habitats. The Shaw's Flat Ditch passes through the project site has been abandoned and replaced by underground piping in most of the segments. The Shaw's Flat Ditch on the project site was determined to be ineligible for listing due to extensive alterations and lack of integrity, and is not considered a significant resource and no additional mitigation is necessary. The Tuolumne County Water Company Ditch and Flume System has been determined to be eligible for listing and is located within the proposed Open Space zoning. Therefore, no additional mitigation is required for the Tuolumne County Water Company Ditch and Flume System.

20. Future construction of improvements associated with the project and grading and excavation associated therewith could unearth potentially significant subsurface cultural resources. The project will be conditioned to require investigation of any such discovered resources by a qualified archaeologist prior to any further construction as required by Section 14.10.150 of the Tuolumne County Ordinance Code.

Adjoiner Comments

21. The Community Resources Agency notified 220 adjoining property owners within 1,000 feet of the proposed project via mail on July 27, 2018. The Community Development Department received 20 response letters; 15 expressed opposition to the proposed project and 5 were neutral with some concerns. The response letters raised the following concerns:

HOA fees/CC&Rs

Tuolumne County does not enforce or have jurisdiction over Covenants, Conditions, and Restrictions (CC&Rs) for Homeowner Associations. Any concerns regarding CC&Rs or Homeowners Association are not able to be addressed by County staff of the Board of Supervisors.

Kelly Road Access

Kelly Road has been publicly dedicated, which allows use by all members of the public. The County cannot restrict access for roads which have been publicly dedicated.

Wells/Water Supply

The letter in opposition raised concerns about this project interfering with their well. Wells in Tuolumne County utilize water stored in individual fractured rock formations instead of one continuous aquifer. Therefore, wells on the project site may not impact wells on neighboring parcels. Additionally, the project site is required to comply with Chapter 13.16 of the TCOC regarding the permitting, construction and maintenance of on-site water wells. Additionally, proposed parcel 1 is served public water by TUD. TUD reviewed the proposed project and indicated that there is adequate capacity to serve the parcel.

Traffic Increase

Prior to the issuance of a certificate of occupancy for any new single-family dwellings on site, the project proponent or subsequent developer will be required to pay the appropriate Traffic Impact Mitigation Fee. Additionally, the project will generate a low traffic volume which was

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below the threshold for requiring a traffic study.

Oak Trees/Wildlife Habitat

The applicant is proposing to rezone 27.47± acres of the project site to Open Space zoning to protect oak woodland and sensitive habitat on site.

Further Subdivision

Future division of parcels require compliance with the Subdivision Map Act. Any future land division will be evaluated through the entitlement process and adjoining property owners will have the chance to comment on the proposal.

Fire Hazards

The Fire Prevention Division has reviewed the proposed project. The Fire Prevention Division has provided conditions which have been incorporated into the Conditions of Approval for Tentative Parcel Map T18-024.

Reason For Rezone/Potential Development

The applicant is not proposing any development at this time. The project only includes review of a Zone Change and Tentative Parcel Map to create 4 parcels and a remainder. The proposed Zone Change is consistent with the existing General Plan land use designations. Any future development of any of the parcels created is limited to the permitted and conditional uses listed in the zoning district.

Property Values

Section 15064(e) of the California Environmental Quality Act states that economic and social changes resulting from a project shall not be treated as significant effects on the environment.

Mobile Homes

Mobile homes are permitted anywhere that a single-family dwelling is permitted. State law does not allow a County to prohibit use of mobile homes for a single-family dwelling.

Advisory Agency Review

22. The application for Zone Change RZ18-006 and Tentative Parcel Map T18-024 has been reviewed by several State and County agencies, which have been incorporated into the project's conditions of approval and discussed below.

California Department of Transportation (Caltrans)

Caltrans reviewed the proposed project and indicated that an encroachment permit would be required for any construction activities within the State Highway 108 right-of-way. Caltrans also requested that grading activities do not redirect run off into the State Highway 108 right-of-way.

Tuolumne Utilities District (TUD)

TUD has reviewed the proposed project and indicated that there is an existing 8-inch water main located within the Fir Drive right-of-way adjacent to the site. There is existing water service stubbed to APN 044-370-028. TUD also indicated that the Shaws Flat Ditch is located across the property, which is utilized by the district.

Zone Change Findings

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23. Chapter 17.70 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a zone change. Below are the required findings, and the staff's responses to each point:

A. The proposed Zone Change is consistent with the Tuolumne County General Plan.

Consistency with the General Plan is discussed and demonstrated in #6 and #7 above in this report.

B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.

Consistency with the Tuolumne County Ordinance Code is discussed and demonstrated in #8, #9, #10, #11, #12 and #15 above in this report.

C. The project site is suited to the uses permitted under the proposed zoning district.

The existing uses on the site are consistent with the proposed zoning districts. See in #8, #9, #10, #11, #12, #15 and Table 1 above in this report for more information.

PREPARED BY: Natalie Rizzi, Land Use Coordinator

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CONDITIONS OF APPROVAL DIETRICH/FRERE/GARDELLA TENTATIVE PARCEL: MAP T18-024

General Conditions:

1. PD As a condition of the grant of approval of the tentative map, and as a continuing condition of approval of the parcel or final map (as applicable), Subdivider shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the subdivision or arising out of, or in connection with the acts or omissions of Subdivider, its agents, employees, or contractors. With respect to acts or omissions of the Subdivider, its agents, employees, or contractors, its obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void or annul the approval of the subdivision, including any contention the subdivision or its approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Subdivider will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. With respect to the County's approval, this obligation applies only to actions or proceedings brought within the time period provided for in Government Code Section 66499.37, and is conditioned on the County promptly notifying the Subdivider of any claim, action, or proceeding and cooperating fully in the defense. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC Section 16.06.090)

Prior to approval of a Parcel Map the following conditions shall be met:

2. SUR The Parcel Map shall meet all requirements mandated by federal, state or local law. Federal or state law may require additional obligations beyond that required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 16.02.040)
3. SUR A field survey shall be performed and all property corners and access easement rights-of-way shall be monumented. (TCOC, Section 16.24.120)
4. ED/FPD Submit a letter from a licensed surveyor or registered civil engineer to the Engineering Division containing demonstrated proof that driveways proposed to serve the project can be constructed from the access road to each building site or parcel, to the standards specified in Title 11 of the Tuolumne County Ordinance Code. (TCOC, Section 16.24.150(E))

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5. ED Submit a drainage study and drainage plan to the Engineering Division of Department of Public Works for review and approval. (TCOC, Section 16.09.090)
6. ED Submit utility improvement plans to the Engineering Division of the Department of Public Works for review and approval. (TCOC, Titles 12, 13, and 16)
7. ED Submit driveway improvement plans for the common driveway and the hammerhead turnaround to the Engineering Division of the Department of Public Works. (TCOC, Section 11.04.010)
8. ED Provide proof to the Engineering Division of access to the real property by a deeded or dedicated road and public utility easement no less than 40 feet in width and of sufficient width to accommodate an area extending to 5 feet beyond cuts and fills (TCOC, Section 16.24.160)
9. SUR/ED Public utility easements shall be required for each proposed parcel as referenced in Title 16 of the Tuolumne County Ordinance Code. (TCOC, Sections 16.24.160 and 16.24.170)
10. ED Drainage easements shall be shown on the final map as required by the Engineering Division of the Department of Public Works. (TCOC, Section 16.24.180)
11. FPD The project site is located in an area that is rated as a high fire hazard by the California Department of Forestry and Fire Protection (CalFire). The fire hazard shall be reduced through a fuel modification program approved by the Tuolumne County Fire Prevention Division. The fuel modification program shall provide for the reduction of flammable vegetation by the thinning of brush, small trees and the removal of piles of dead brush from the project site. The fuel modification plan shall be completed prior to approval of the Parcel Map. (TCOC, Section 15.20.060)
12. SUR/FPD Defensible space building setbacks of 30 feet shall be established from all property boundaries. All existing parcel boundaries, proposed parcel boundaries, and building setbacks shall be recorded and shown on the Final Map in order to ensure minimum defensible space around existing and future structures on the proposed parcels. (TCOC, Section 15.20.060)
13. FPD The following statement shall be recorded on the final map: "Modification to Defensible Space Building Setbacks may be made prior to securing a Building Permit subject to approval of the Tuolumne County Fire Prevention Division." (TCOC, Section 15.20.060)
14. LU The 24.47± acres of Open Space zoning as adopted by the Board of Supervisors shall be clearly identified on the final map. (TCOC, Section 16.06.090)

The following conditions also apply to this project and subsequent improvements of the lots created:

15. ED Obtain a Grading Permit from the Engineering Development Division of the Department of Public Works prior to any grading on site. All grading shall be

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completed in compliance with the issued grading permit. (TCOC, Section 12.20.050)

16. ED Prior to the construction of any site improvements or grading on the site, all property corners shall be monumented and clearly visible. Where a clear line-of-sight between lot corners does not exist, appropriate markers shall be set on the property line to identify the boundaries while construction is in progress. (TCOC, Chapter 12.20)
17. ED An Erosion Control Plan shall be submitted for approval and shall be implemented for any construction to take place. (TCOC, Title 12)
18. ED Exposed serpentine gravel is prohibited on the construction site. (17 California Code of Regulations, Section 93106)
19. ED Drainage improvements shall be installed in accordance with approved drainage plan. (TCOC, Chapters 11.04 & 11.12, and Section 16.28.180)
20. ED Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES)) a General Permit for construction related storm water discharge, for disturbances greater than one acre in area. (TCOC, Section 16.06.090)
21. ED The contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the project site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at other intervals, as need dictates, to control dust. (TCOC, Section 12.20.370)
22. ED Encroachment permits shall be secured from the Engineering Division of the Department of Public Works prior to access onto and work within any County road right-of-way. Road encroachments shall be installed in accordance with the approved plans. (Section 12.04.010)
23. ED All utility improvements shall be installed in accordance with the plans approved by the Engineering Division of the Department of Public Works. (TCOC, Titles 12, 13, and 16)
24. ED All roads and common driveways shall be constructed in accordance with the plans approved by the Engineering Division of the Department of Public Works. (TCOC, Section 11.12.060)
25. ED No cul-de-sac roads shall be constructed which exceed 2,640 feet in length. (TCOC, Section 11.12.040)
26. BD Building Permits are required for all non-exempt structures being constructed on the project site, pursuant to Section 105 of the California Building Code. (CBC, Section 105)
27. BD The applicable Traffic Impact Mitigation Fee shall be paid to Tuolumne County prior to issuance of a Blue Tag or prior to close of escrow if an

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escrow account has been established prior to issuance of a Building Permit for any new residence. (TCOC, Chapter 3.54)

28. BD Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County Holidays. Exceptions to these hours may be made by the Community Development Department Director. (TCOC, Section 16.06.090)
29. FPD All roads accessing the project site shall be cleared of flammable vegetation over 18 inches in height to a distance of 25 feet from the centerline of the road. (TCOC, Chapter 15.20; CFC Section 503)
30. ED/FPD Driveways to the proposed home sites shall be at least 12 feet in width, with a minimum surface of 4 inches of compacted Class II aggregate. Maximum gradient shall be 16%. (TCOC, Section 11.12.060)
31. FPD Where residential dwellings are less than 150 feet from the roadway, the driveway grade may exceed 16% to a maximum 22%, but the driveway shall be paved with asphalt concrete or concrete. In addition, a parking bay at least 10 feet wide and 40 feet long surfaced in the same manner as the adjacent road shall be provided at road grade. (TCOC, Section 11.12.060(B))
32. ED/FPD Two parcels may share a common driveway provided that the common portion of the driveway shall be a minimum of 18 feet in width and easements have been established for use of the driveway by both parcels. (TCOC, Sections 11.02.130, 11.12.060, 15.20.005(c), and 15.20.050)
33. FPD For any driveway that exceeds 300 feet in length, a turning bulb or a circular driveway with a minimum outside radius of 40 feet shall be provided within 50 feet of all building sites. (TCOC, Section 11.12.060(C))
34. FPD For any driveway that exceeds 150 feet, turnouts shall be provided at the midpoint for driveways between 150 feet and 800 feet in length, or at 400 foot intervals for driveways over 800 feet in length. Turnouts shall be a minimum of 10 feet in width and 30 feet in length with 25-foot tapers at each end. (TCOC, Section 11.12.060)
35. FPD Residential gates providing access from a road to a driveway shall be located at least 30 feet from the roadway edge, the gate entrance shall be two feet wider than the width of the traveled way, and the gate shall open away from the roadway. (TCOC, Section 11.12.062)
36. FPD Address numbers shall be displayed on a building or land in such a manner as to be visible from the street or road on which the building or land fronts. Where the building is located more than 50 feet from the main roadway, the number shall be displayed at the entrance of the driveway and be readable from both directions. The size of letters, numbers, or symbols for addresses shall be a minimum four-inch letter height but shall not exceed twelve inches in height, one-half inch stroke, reflectorized, and contrasting with the background color of the sign or structure on which it is displayed. All numbers or signs shall be maintained in a neat and orderly manner so as to remain readable. (TCOC, Sections 12.12.808(A)(1) and 12.12.080(A)(4); CFC, Section 901.4.4)

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37. FPD At the time of application for a Building Permit, Defensible Space of 30 feet shall be required in order to ensure a minimum defensible space for fire protection around all buildings, including any existing structures located on the project site. All defensible space shall be maintained. This condition does not apply to single specimens of trees, ornamental shrubbery, or similar plants, which are used as groundcover. Mature trees do not need to be removed, but must be limbed up to six to eight feet above ground level, provided that the pruning of live branches does not extend up the bole more than one-half the height of the tree or remove more than one-third of the live crown. (TCOC, Section 15.20.060)
38. APCD/FPD Secure burning permits from the Tuolumne County Air Pollution Control District and the California Department of Forestry and Fire Protection (CalFire) prior to burning vegetation on the site. (TCAPCD Rules and Regulations, Regulation III)
39. PD The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line:

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L _{eq} . (1 hour) ¹	45 L _{eq} . (1 hour) ¹

¹L_{eq}. 1 hour refers to the average noise level measured over a one hour period. (TCOC, Section 16.06.090)

40. PD If a cultural resource is discovered during the activities authorized by this Map, the person in possession of the real property for which the map was approved and all persons conducting any activity authorized by this map shall comply with the following provisions:
- A. The person discovering the cultural resource shall notify the Community Resources Agency by telephone within 4 hours of the discovery or the next working day if the department is closed.
 - B. When the cultural resource is located outside the area of disturbance, the Community Resources Agency shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.
 - C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Resources

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Agency may continue. A qualified professional, as defined in Section 17.04.657 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.

- D. When the cultural resource is determined to not be significant, the qualified professional or Community Resources Agency shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Resources Agency.
- E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Resources Agency. All further activity authorized by this permit shall comply with the cultural resources management plan.

A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (TCOC, Section 14.10.150)

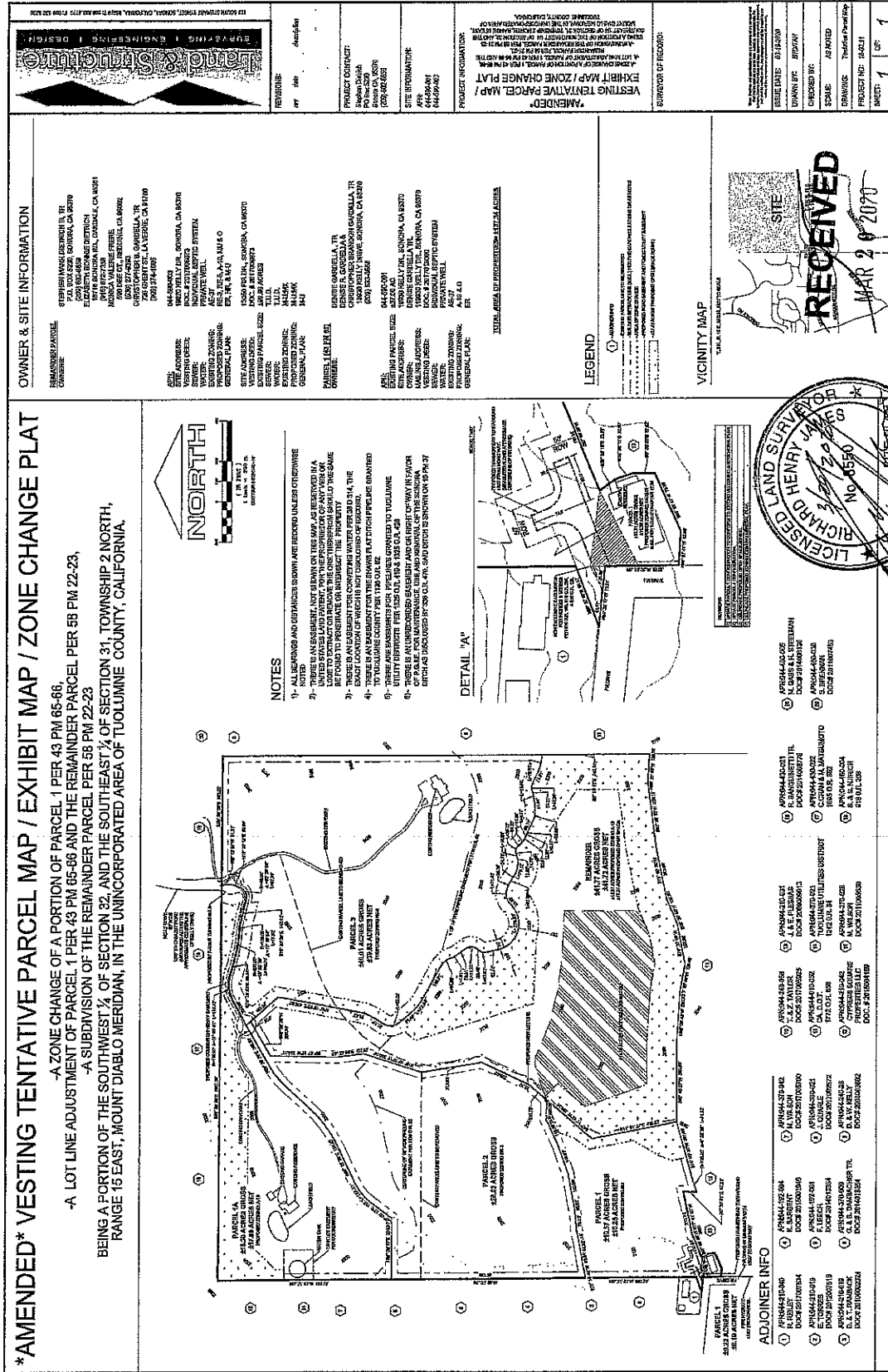
- 41. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
- 42. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)
- 43. AG All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
- 44. AG The property owner shall maintain and implement an effective program for the monitoring and control of noxious weeds. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 5401 and 5402)

DIETRICH-FRERE-GARDELLA

A Notice of Action shall be recorded for Conditions 1 through 44 to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Resources Agency during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (PRC, Section 21081.6)

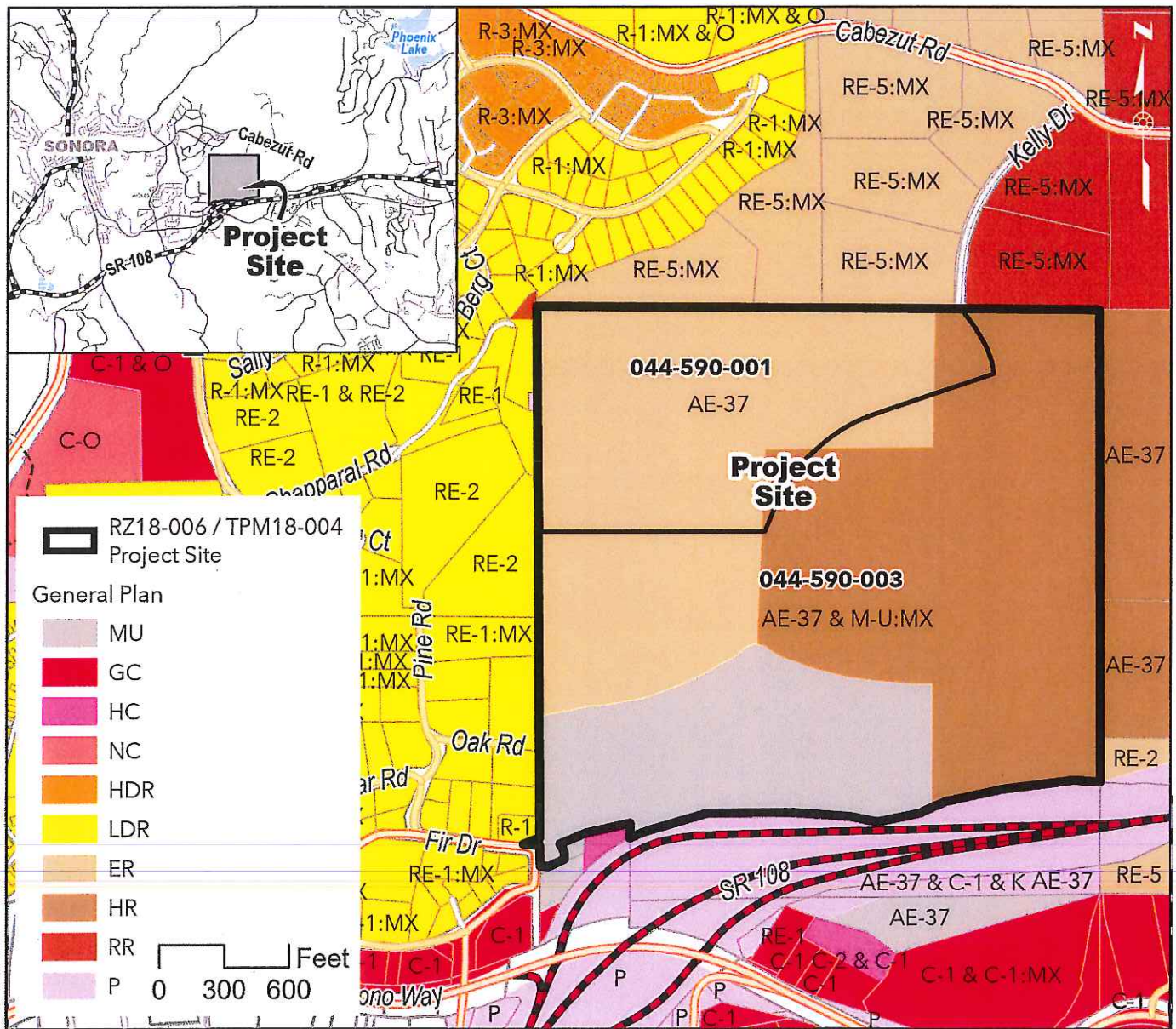
COMMUNITY RESOURCES AGENCY CONTACT: Natalie Rizzi, Land Use Coordinator

Attachment 2: Exhibit Map



DIETRICH-FRERE-GARDELLA

Attachment 1: Agenda Map



Projects: RZ18-006 & TPM18-004

Owner: Elizabeth B. Dietrich, Stephen M. Dietrich III, Monica V. Frere, and Christopher B. and Denise Gardella

Applicant: Land & Structure

APNs: 044-590-001 & -003

Current Zoning: AE-37 & MU:MX

Current General Plan Designation: ER, HR, & MU

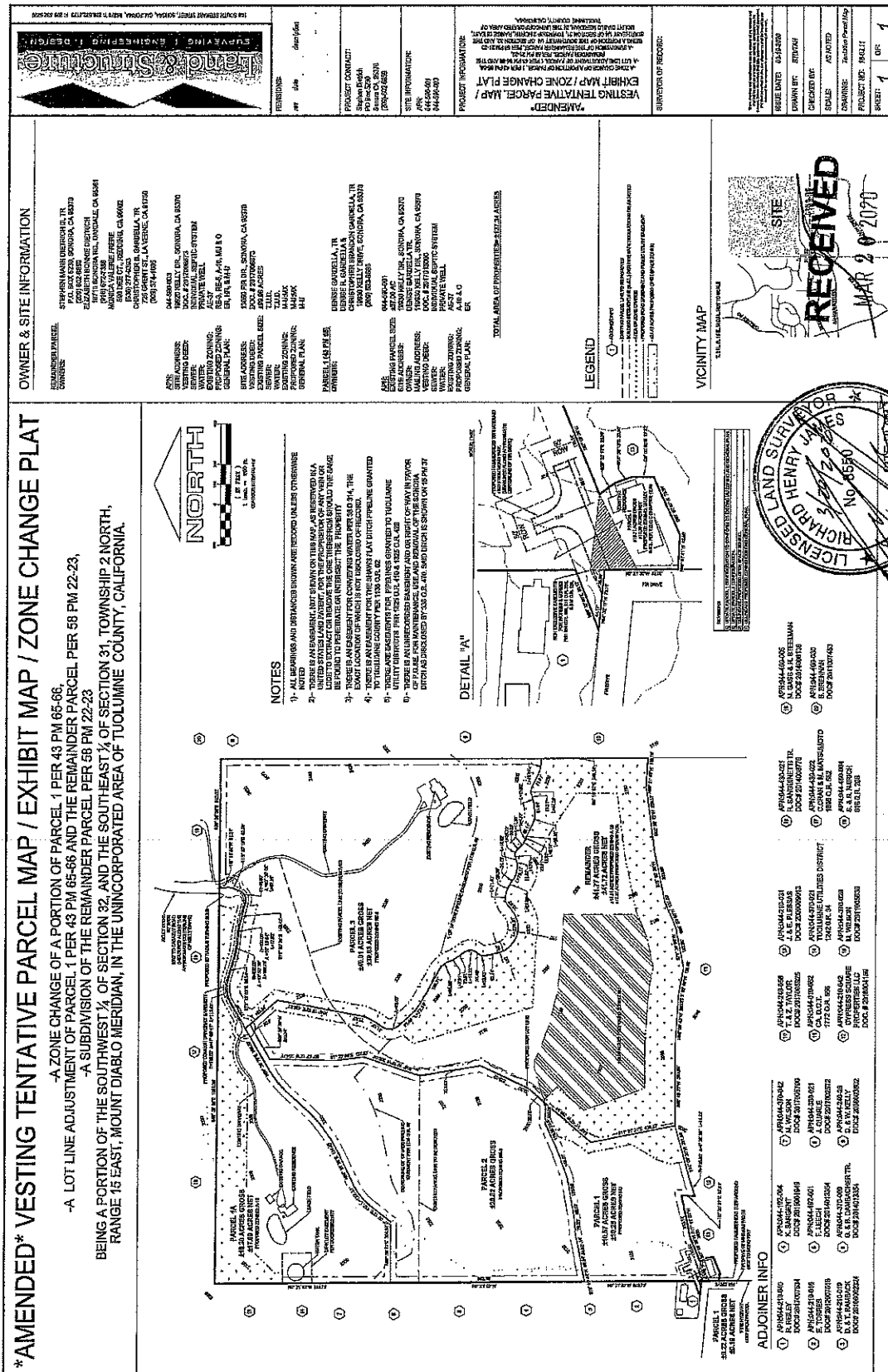
Project Description:

-Ordinance for Zone Change RZ18-006 to rezone 137.34± acres from AE-37 and MU:MX to RE-3 (26.8± acres), RE-5 (35± acres), A-10 (29± acres), MU (19± acres), O (27.5± acres)

-Tentative Parcel Map T18-024 to divide a total of 137.34± acres into four parcels and a remainder

Supervisor District No. 1

Attachment 2: Exhibit Map





OFFICE OF ENVIRONMENTAL COORDINATOR

Quincy Yaley, AICP
Environmental Coordinator

48 W. Yaley Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
209 533-5616 (fax)
209 533-5909 (fax - EHD)
www.tuolumnecounty.ca.gov

NOTICE OF DETERMINATION

**PROJECT
DESCRIPTION:**

Ordinance for Zone Change RZ18-006 to rezone 137.34± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) and MU:MX (Mixed Use:Mobile Home Exclusion Combining) under Title 17 of the Tuolumne county Ordinance Code (TCOC) as follows:

Proposed Zoning	Acreage
RE-3	26.8±
RE-5	35±
A-10	29±
MU	19±
O	27.5±

**PROJECT
PROPONENT:** Stephen Dietrich

**PROJECT
LOCATION:** The project site is located at 19920 and 19930 Kelly Drive and 13050 Fir Drive in the community of Sonora. The project site has two access roads, one is approximately 1120± feet southwest of the intersection of Cabezut Road and Kelly Drive and the second access is 800 feet north of Mono Way. The project site is located within a portion of Section 32, Township 2 North, Range 15 East, Mount Diablo Base and Meridian and within Supervisorial District 1. Assessor's Parcel Numbers 044-590-001 and 044-590-003.

The Board of Supervisors for the County of Tuolumne on _____, has approved the project described above and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. Mitigation measures were not included as conditions of project approval.
3. A mitigation reporting or monitoring plan was not adopted for this project.
4. A statement of Overriding Considerations was not adopted for this project.
5. Findings relative to significant environmental effects identified in an Environmental Impact Report were not made pursuant to Section 15168 of the State CEQA Guidelines.
6. On January 3, 2019, the Board of Supervisors certified an environmental impact report (EIR) for the Tuolumne County General Plan Update. The EIR for the General Plan Update was prepared as a program EIR under the provisions of Section 15168 of the *State CEQA Guidelines*. As a program EIR, the document adopted by the Board of Supervisors adequately addressed the potential environmental impacts associated with the comprehensive update of the County's constitution for growth including certain implementation activities and provided for streamlining of the environmental review process for projects proposed subsequent to the certification of the EIR. The project consists of rezoning the subject property which is consistent General Plan. Rezoning of parcels for consistency with the General Plan was addressed in the Program EIR for the General Plan and; therefore, pursuant to Section 15162 of the *State CEQA Guidelines*, no additional review under the California Environmental Quality Act (CEQA) is required for the proposed zone change.

The project documents may be examined at the Tuolumne County Community Development Department.

The staff contact person is: Natalie Rizzi

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration and all documents referenced in the Negative Declaration for the project described above, is available to the General Public in the Community Resources Agency, Monday through Friday, 9:00 a.m. to 3:00 p.m., Fourth Floor, A. N. Francisco Building, 48 West Yaney Avenue, Sonora, California.

Signature: _____

Date: _____

Quincy Yaley, AICP
Environmental Coordinator

S:\Planning\PROJECTS\Rezone\2018\RZ18-006 (TPM18-024)\Gardella-Dietrich-Frere\CEQA Documents\NOD- Zone Change.docx

Date: August 12, 2018, 2018

To: Kimberly Ballachey, Project Planner
Tuolumne County Community Resources Agency

From: Mark Mills
13033 Fir Drive
Sonora, CA 95370

RE: Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 004-590-001 and 004-590-003

My Family and I are **Opposed** to this project for the following reasons:

Fir Drive is a slowly traveled residential road that is poorly maintained and has no established pedestrian sidewalks. Any additional traffic or connectors will increase the state of deterioration. This area of Fir Drive has two very sharp turns and is already difficult for vehicles traveling in the opposite directions to pass safely. The addition of another road entering at this location will dramatically increase the danger to the normal flow of residential vehicle traffic and pedestrian foot traffic.

Fir Drive, from the proposed intersection to the stop sign at Flynn Road, is not banked properly which causes vehicles traveling south to enter the opposite lane. Local residents know of the dangers of this section and proceed slowly. If the proposed road connects with Kelly Drive or any other road, vehicles passing through the area will not know of these hazards and will increase the probability of accidents.

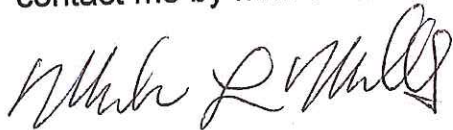
If the proposed road connects with Kelly Drive or any other thru road, the increased vehicle traffic flow from the Greenley/Cabezut area through Fir Drive will completely change our quiet neighborhood into a dangerous and noisy throughout fare. This will be greatly magnified if the Wendy's project is approved.

Fir Drive, from the intersection of Flynn Road to Mono Way, is very steep and creates a blind intersection for traffic flowing in both directions.

Currently there is a PG&E power pole with a transformer that supplies power to a number of houses including ours. This pole is in the middle of the proposed road. Where will that be moved?

This project proposal doesn't include what exactly will be built in the new parcels.

If you need any additional input or have any questions, please contact me by mail or call at the following numbers.



Mark Mills

13033 Fir Drive

Sonora, CA 95370

Home 209-532-0096

Cell 209-206-3110

Kimberly Ballachey

From: Quincy Yaley
Sent: Friday, August 24, 2018 2:22 PM
To: Kimberly Ballachey
Subject: FW: rezoning of APN 44-590-001 and 44-590-003

Kim is this your project?

From: Karen Willenberg
Sent: Tuesday, August 21, 2018 11:33 AM
To: Quincy Yaley
Subject: FW: rezoning of APN 44-590-001 and 44-590-003

FYI

From: A Bock [mailto:bockak@yahoo.com]
Sent: Friday, August 17, 2018 10:55 AM
To: CRA Inbox
Subject: rezoning of APN 44-590-001 and 44-590-003

Hello, I realize my comments are tardy but wish to share them anyway as a property owner within 1000 feet of proposed zoning changes. My concerns relate to any possibly that rezoning this area could ultimately allow development near my parcel that would increase traffic or noise, reduce privacy and/or alter the current "experience or flavor" of the neighborhood. Please consider these comments. Thank you, Annette Bock Beckwith Circle Sonora, CA.



COMMUNITY RESOURCES AGENCY

David Gonzales, CB
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 27, 2018

RECEIVED

AUG 07 2018

To: Adjoining Property Owners

From: Kimberly Ballachey, Project Planner

RE: Christopher and Denise Gardella, Elizabeth Dietrich
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

48 Yaney Avenue, Sonora
Mailing: 2 S. Green St
Sonora, CA 9535
(209) 533-5
(209) 536-1622 (F)
(209) 533-5616 (F)
(209) 533-5909 (fax - F)
(209) 588-9064 (fax - F)
(209) 533-5698 (fax - R)
www.tuolumnecounty.ca

The Tuolumne County Community Resources Agency requests your assistance in reviewing this land development project proposed near your property. We value your comments and participation in our planning process. Your participation at this early stage can eliminate or minimize conflicts that may arise from the project proposed.

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

This is a retirement community in the
Fir/Pine/Cedar area. This will be huge
disruption to our small area and we
all would like it to be small and quiet
Richard Moss 19689 Cedar Rd

Your Name(s)

Mailing Address

Sonora CA 95370

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.



COMMUNITY RESOURCES AGENCY

David Gonzales, CB
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 27, 2018

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AUG 07 2018

To: Adjoining Property Owners
From: Kimberly Ballachey, Project Planner
RE: Christopher and Denise Gardella, Elizabeth Dietrich,
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

COUNTY OF TUOLUMNE
Community Resources Agency

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Sonora, CA 95
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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

I disapprove of this project. Please advise
me of the date and time of the
planning department meeting regarding
this issue.

Mitchell Wilson

Your Name(s)

13050 Chaparral Road
Mailing Address Sonora, CA

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.

Kimberly Ballachey

From: Stephen Gregory
Sent: Friday, August 03, 2018 10:36 AM
To: Kimberly Ballachey
Subject: FW: Letter
Attachments: 20180803103129330.pdf

Hello,

Believe this should have been sent to you.

Thanks.

*Steve Gregory
County of Tuolumne
Fire Prevention
Office 209-533-5633
Fax 209-533-5522*

From: Giampaoli, Nick@CALFIRE [mailto:Nick.Giampaoli@fire.ca.gov]
Sent: Friday, August 03, 2018 10:23 AM
To: Stephen Gregory
Subject: Letter

Good morning,

The attached letter was delivered to 51 yesterday and I wanted to send it your way for review.

Thanks,

Nick Giampaoli

Fire Captain

CAL FIRE / Tuolumne County Fire

Engine Company 511

(209) 532-5983

S-1
I thought Comm.
Resources might send this
to you for comment
given the reference to
inefficiency in fire
evacuation routes for
this parcel map. This
is just a heads up. The
Steve Morice



COMMUNITY RESOURCES AGENCY

David Gonzales, CB
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 27, 2018

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Sonora, CA 95
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(209) 533-5616 (F)
(209) 533-5909 (fax - E)
(209) 588-9064 (fax - E)
(209) 533-5698 (fax - R)
www.tuolumnecounty.ca

To: Adjoining Property Owners
From: Kimberly Ballachey, Project Planner
RE: Christopher and Denise Gardella, Elizabeth Dietrich,
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

COUNTY OF TUOLUMNE
Community Resources Agency

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

PLEASE SEE ATTACHED THREE PAGE
LETTER OF AUGUST 1, 2018

Steve Monroe
Your Name(s)

13141 Sylva Lane Sonora CA
Mailing Address 95370

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.

②

8/10/18

To: Kimberly Gallagher, Project Planner

R.E. Zone change RZ18-006 and Tentative Parcel/
Map T18-074 Assessors Parcel Number 044-590
and 044-590-003

To whom it may concern:

I am a resident of Sonora and I live on 13294 Cabernet Rd. My wife and I strongly oppose this zone change as it would increase traffic on our roads. The people on Kelly Road have never contributed a penny for road maintenance but they use it daily and some of these residents drive at speeds greater than 75 miles per hour.

We also feel that if this zone change should be granted it will increase the amount of homes and mobile homes on this land. As we all know mobile homes don't increase property values of adjoining properties. As it stands now, there are no rentals in the QRR subdivision but there is rentals on this piece of property that we are concerned about. If you add more homes and mobile homes it will increase traffic and possibly some less desirable residents.

over

Aug 18, 08:44a

(3)

(2)

I am not saying this would happen but what we have seen in other areas of this county this does take place.

We think this area is such a pristine area it doesn't deserve this type of zoning and we think it should stay General Agriculture. There should be a lot of studies on this area which I don't believe have been addressed yet, such as traffic, roads, sewer, water, water run off and how about an Environment Impact report. If all of these studies have been done which I don't think they have because we had only about 15 to 30 days to respond to this request.

You see I am a Licensed General Contractor and these kind of developments create more work for me but they also have to be done right and should be a plus to the community. So you see if all these studies are done and done right I would encourage this zone change as I hope it wouldn't affect all neighbors in a negative way. I'm hoping this zone change is done right and not some back room deal for good ol' friends.

(over)

④

③

We wish you all the luck in the world
and please keep us informed of your
progress.

Bary and Nancy Thompson
13294 Cabernet Drive
Sonoma Calif.

P.S. Sorry about my hand written letter
as my computer needs a little help too!

our CC+R's as well as dividing our community

This proposal is in violation of California's Environmental Quality Act, and would negative impact.

Traffic

Riparian habitat

air quality

health and safety - (with no fire hydrants and many of the common infrastructure that should be in place to support an increase population)

wild life habitat

Noise

This development would decrease our property values, is and on fair burden to Quail Ridge Ranch homeowners.

Further it would exhaust water resources which are all ready in over draft. please refer to the work I produced on the Red Tail ridge ^{project} supervision and ~~the I included~~

I include all of those studies and work here please refer to the Biology reports, hydrology, noise etc. Thank you for your time. Susan McKean dnm



COMMUNITY RESOURCES AGENCY

David Gonzales, CBO
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 27, 2018

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Mailing: 2 S. Green St
Sonora, CA 953
(209) 533-56
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(209) 533-5616 (Fle
(209) 533-5909 (fax - EH
(209) 588-9064 (fax - Fle
(209) 533-5698 (fax - Roa
www.tuolumnecounty.ca.gov

To: Adjoining Property Owners
From: Kimberly Ballachey, Project Planner
RE: Christopher and Denise Gardella, Elizabeth Dietrich,
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

This rezone will increase traffic on Kelly Ct. Kelly is a privately maintained road, there fore this puts an unfair burden on the Quail Ridge Ranch home owners, with the legal liability too! Commercial traffic on Kelly is in conflict w/ 20190 High Meadow Dr
Susan McKean
sonora ca 953

Your Name(s)

Mailing Address

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

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COMMUNITY RESOURCES AGENCY

David Gonzales, CI
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid W

July 27, 2018

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COUNTY OF TUOLUMNE
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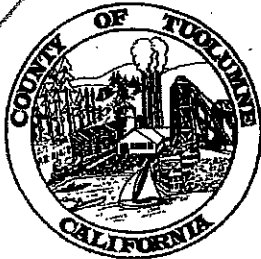
Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

NO MOBILEHOMES - DOWN GRADES AREA
YOU EXPECT PEOPLE TO BE ABLE TO READ 2ND SHEET

Donna M. Woodcock 13045 SYLVIA LN, SONORA
Your Name(s) Mailing Address

If we do not receive your comments by Monday August 10, 2018 ^{IS NOT MONDAY} we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.



COMMUNITY RESOURCES AGENCY

David Gonzales, CI
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 27, 2018

RECEIVED

48 Yanez Avenue, S.
Mailing: 2 S. Green
Sonora, CA 95370
(209) 533-5333
(209) 536-1622 (F)
(209) 533-5616 (F)
(209) 533-5909 (fax -)
(209) 588-9064 (fax -)
(209) 533-5698 (fax -)
www.tuolumnecounty.ca.gov

To: Adjoining Property Owners
From: Kimberly Ballachey, Project Planner
RE: Christopher and Denise Gardella, Elizabeth Dietrich,
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

COUNTY OF TUOLUMNE
Community Resources Agency

The Tuolumne County Community Resources Agency requests your assistance in reviewing this land development project proposed near your property. We value your comments and participation in our planning process. Your participation at this early stage can eliminate or minimize conflicts that may arise from the project proposed.

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

I'm not interested in having this land development project because it will bring in more traffic to the area. My vote is "No"

Bridget Eller
Your Name(s)

20427 Diane Dr., Sonora, 95370
Mailing Address

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935



COMMUNITY RESOURCES AGENCY

David Gonzalves, CBC
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 27, 2018

RECEIVED

AUG 10 2018

To: Adjoining Property Owners
From: Kimberly Ballachey, Project Planner
RE: Christopher and Denise Gardella, Elizabeth Dietrich,
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

COUNTY OF TUOLUMNE
Community Resources Agency

48 Yancy Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 9537
(209) 533-562
(209) 536-1622 (Flee
(209) 533-5616 (fa
(209) 533-5909 (fax - EHI
(209) 588-9064 (fax - Flee
(209) 533-5698 (fax - Road
www.tuolumnecounty.ca.gov

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

We are opposed to this land development project. We want to know the plans for this development, the intent, the environmental impact report, the improvement to our development and county that this will have. We do not know the benefit of rerouting traffic through an impacted residential area.
Cheryl Fastulu, Dimitri Fastulu 12972 Chaparral Rd, Sonora, CA 95370

Your Name(s)

Mailing Address

Attachment 1 is attached

If we do not receive your comments by **Monday August 10, 2018** we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yancy Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.

ATTACHMENT 1

To: Tuolumne County Resources Agency, Kimberly Ballachey, Project Planner
From: Dimitri and Cheryl Postolu
Re: Zone Change Ordinance affecting our Property - Letter, dated July 27, 2018, sent by your
Office to the residents within 1000 ft of intended zone change.
Date: Friday, August 10, 2018

To Whom it May Concern,

We, Dimitri and Cheryl Postolu, are opposed to the land development project proposed by Christopher and Denise Gardella, Elizabeth Dietrich, Monica Frere and Stephen Dietrich.

We want to know the intent of this project and the plans for the development. If the plans have not been provided as of the date when this was proposed and filed, then we would like to see this project suspended or cancelled. We do not want another incomplete development or project pushed through the county planning levels.

This proposal to change the zoning of this property impacts the current failing roadways that are in this residential area. By changing the ingress and egress of this proposed property change, it will impact the existing established residential area that already does not have the infrastructure to support the change. Roads are not maintained in this area. They are a mess. There are no street lights or sidewalks or stop signs. This area could not support any increased vehicular activity. You are suggesting to reroute traffic in a residential area that is already impacted. The stop light at Fir Drive, as you drive down a steep road to it, is already congested and dangerous. Residents are unable to make a left turn because of the volume of traffic that is stopped waiting for light changes on Mono Way at the two (2) stop lights that are there to access the bypass on ramps, north and south, Mono Way and Sanguinetti Rd.

This would further exacerbate an unsafe traffic area. We would like to know the number of accidents that have happened at the Fir Drive, Sanguinetti Rd. stop light within the last 5 years from CHP. Police and Sheriff reports. We want this made public. The road lines are not kept up in this area also.

We also have been informed that there is a Wendy's fast food chain going into the northeast side of Fir Drive. Even more congestion. We want an environmental impact report done for this area. Just because you have a stop light on Mono Way does not mean you throw the entire development of Sonora at this intersection.

This is truly a bad implementation of road development already, and now associated with this zone change, it is only made worse!

Concerned Citizens and Residents,
Cheryl and Dimitri Postolu



STEPHEN AND LINDA MONROE
13141 Sylva Lane
Sonora, CA 95370
Home (209) 588-1703
Cell (310) 254-5876
stevelindam@gmail.com

August 1, 2018

Kimberly Ballachey, Project Planner
Community Resources Agency
2 South Green Street
Sonora CA 95370

Re: Christopher and Denise Gardella, Elizabeth Dietrich, Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
APNs 044-590-001, 044-590-003

Dear Ms. Ballachey:

I strenuously object to the planned change which will permit further development in an area which does not have adequate fire evacuation access or fire department access, and appears to have insufficient water supply. The fire station servicing this unincorporated area is Cal Fire Station 51, Mono Village, 19500 Hillsdale Dr., Sonora 95370. The distance to the Kelly Drive entry point to this planned development from the fire station is over 4.5 miles.

Evacuation and Fire Department Access

The only practical fire evacuation route from the Kelly Drive entry is down Cabezut Road to its intersection with Greenley. **The other direct exits are two generally unknown roads permanently locked with yellow barrier gates and inaccessible.** The first is just east of High Meadow on Cabezut Road beyond an intersection with Cabezut Court. This is a dirt road extension of Cabezut Road which then proceeds eastward toward Sullivan Creek Road/Ivy Drive through open ranchland adjacent to this planned development. The second is a short narrow one lane alley southwest off Berg Court to Chaparral.

There is an **impractical evacuation** route susceptible to the same evacuation issues as Cabezut Road to Greenley beginning about 100 yards short of Greenley on Cabezut at it's intersection with Cedar Road. If the fire is in this area and blocks Cabezut Road, it blocks this exit as well. One can turn southeast from Cabezut Road and proceed uphill using the rarely graded deeply rutted and generally impassable private gravel road which many do not even know about to its intersection with Chaparral. Alternatively, one can take the paved Cedar Road uphill through the medical building parking lots fronting Greenley to and exit through those lots onto Greenley slightly uphill from the light at Cabezut and Greenley.

We live at 13141 Sylva Lane. A couple of years ago we had two fires in a matter of less than a month in the field and creek bottom bounded by Greenley, Cabezut and Cedar which necessitated immediate assistance from Columbia air tankers. The fires imminently threatened the assisted living facility at Skyline, Watch facilities adjacent to it, the Tuolumne County mental health clinic and the doctor's offices off Cedar and Cabezut, as well as the apartments and

Ms. Kimberley Ballachey
August 1, 2018
Page 2

commercial area just across Greenley. The fires precluded escape from Sylva Lane and everything uphill along the Cabezut corridor using either Cabezut Road or the impractical escape route above-described. The fire appeared to have been moving uphill and threatening to spread up the valley straddling the Cabezut corridor with the road in the middle of the axis of advance. Fortunately, there was no wind to speak of. Indeed, the fire equipment which arrived blocked Cabezut at both Greenley and Cedar, closing any evacuation for anyone all the way up the valley along the Cabezut corridor. There was no way to practically evacuate the residents of Skyline Assisted Living, of whom my mother in law was one at the time. Those residents had no ability to escape on foot though they were in the direct path of a fire less than 100 yards away.

Due to a zoning-planning failure, there is no open road further up the valley from Cabezut or any of its access streets across to Lyons-Bald Mountain Road or anywhere else. No one who lives off Cabezut on any street which intersects it has any fire exit except to return to Cabezut before arriving at the intersection of Greenley and Cabezut. Even if there were, it is a very short distance from one side of the valley to the other, meaning any fire would likely block any such road as well leaving no escape for those further up.

In my opinion as the recent fires clearly demonstrate, this is a disaster waiting to happen. It creates a dangerous condition of public property likely to cause death or serious bodily injury to many people. Failure to have at least two readily known always open alternative and practical vehicular exits from any developed area, or insufficient fire department access to any area, are violations of fire, planning and zoning codes, laws and ordinances. This failure creates an unacceptable risk to the entire Cabezut corridor as well as the present residents east of, north of, and in the proposed parcel map area. In my further opinion, the failure to deal with this at the parcel map stage may also render the County liable for any resulting disaster and loss caused or contributed to by the failure to timely insert protective and mitigating conditions on any parcel map approval. Providing these exits and access is a mandatory duty and not a discretionary planning decision for which the County might otherwise have qualified immunity.

The planned parcel map seeks to exacerbate this condition by further developing the area with no practical exits. The only present exit from the proposed area of development is through Kelly Drive onto Cabezut Road. Unless a condition of the parcel map requires Kelly Drive to be dedicated to the public use, extended south and westward along the private dirt road beginning at the turnaround near the entrance to the planned development, through the development area, and graded, improved and paved throughout to the intersection of Fir Drive (where there is another locked gate making that road inaccessible) such that anyone in development area and along the Cabezut corridor can use it as a vehicular escape, for fire department access, and as general access to and from Cabezut Road, the parcel maps should not be approved.

If that is not done, among other things, the fire department will have about 2.5 extra miles to travel before reaching the planned development. It should be noted that there is no access to the tentative parcels at all along the east (private land) and the south (state highway), though there is a locked gate in the southwest corner at Fir Drive. The proposed configuration of the parcel map leaves the "remainder" parcel along the southern border of the planned development without any access whatsoever to roads or utilities. Again, appropriate access for roads and utilities must be a condition of the parcel map approval.

Ms. Kimberley Ballachey
August 1, 2018
Page 3

Water

Further, there appears to be insufficient water and water delivery facilities available. There is a major TUD water tank near the northwest corner of the planned development which is used to discharge water into the Shaw's Flat Ditch by pipe at a point due west from the tank where the pipe intersects the ditch. Access to that tank is by Chapparral Road along a one lane narrow paved road which is difficult for fire equipment to navigate, or uphill through a locked gate along a private road from Fir Drive near Mono Way. From the discharge point of the pipe, the ditch carries about three to four inches of water across a width of two to three feet all the way around the valley past Lyons Bald Mountain road to a storage tank and a treatment facility atop the ridge directly above the city of Sonora accessed off East Bald Mountain Road. South of the point where the pipe from the tank first feeds the ditch, and back to the east across the development area, the ditch no longer carries water and is not maintained. We are not aware of any hydrants in the development area. The tentative parcel map alludes to wells, which are manifestly insufficient to fight any fire in the area. Any inability to fight fires in the parcel map area directly threatens my home at 13141 Sylva Lane which is immediately over the top of the ridge from the planned parcels. As you know, fire moves rapidly up hill, and the southern flank of the proposed parcels is along a state highway where the risk of fire from vehicles and their occupants is already excessive.

Interrupting the TUD storage tank flow to the ditch to fight fires in the development area or on the ridge in general would deprive the Cabezut corridor of water to do the same, and could affect the ability to protect the hospital and medical offices, as well as areas of Sonora across the valley around the tank and facility there, from fires. My understanding is that there is no water main that directly covers the development area except from the Cabezut corridor or along Fir Road, that some of the development area depends on wells which could easily be dry at any given fire season, and that any water piped across the development area in lieu of the unused portion of the Shaw's Flat Ditch is not adequate to maintain the required two hours of flow to fight fires.

Clearly, a condition of the parcel map must be that TUD water mains, hydrants and storage adequate for fire fighting purposes be installed and operating, or alternatively that each proposed lot within the parcel map be required to have an adequate high capacity water tank to store water at all times for fighting fires.

Thank you for your attention to the foregoing.

Very truly yours,


STEPHEN MONROE
SM:sm

cc: Captain, Cal Fire Station 51
Tuolumne Utilities District



COMMUNITY RESOURCES AGENCY

David Gonzalves, CB
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

July 27, 2018

RECEIVED

AUG 01 2018

To: Adjoining Property Owners
From: Kimberly Ballachey, Project Planner
RE: Christopher and Denise Gardella, Elizabeth Dietrich,
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

COUNTY OF TUOLUMNE
Community Resources Agency

48 Yanez Avenue, Sonora
Mailing: 2 S. Green St
Sonora, CA 953
(209) 533-
(209) 536-1622 (F)
(209) 533-5616
(209) 533-5909 (fax - F)
(209) 588-9064 (fax - F)
(209) 533-5698 (fax - R)
www.tuolumnecounty.ca.gov

The Tuolumne County Community Resources Agency requests your assistance in reviewing this land development project proposed near your property. We value your comments and participation in our planning process. Your participation at this early stage can eliminate or minimize conflicts that may arise from the project proposed.

We are in receipt of an application for the projects referenced above. The project description is as follows:

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

We OBJECT to this land development project because it will surely eventually add to more traffic congestion. Mono Way in that area is saturated with cars and we do not want Cabezut extended, which we know has been considered in the past, because it will become a thoroughfare and increase traffic in that lovely area & spoil it. The project will also impact the Mono Way/Greenley Road intersection which is very busy & the Cancer Center has not even opened yet, which will make it worse.

This project will exacerbate traffic congestion and destroy the aesthetics of the neighborhoods it borders.

Your letter only states zone changes and parcel divisions - would be interested to know what kind of development is intended.

Dave & Jo Ellen Hart
12840 Beckwith Circle
Sonora

7/31/2018

that you

533-5935
Avenue in
ons of the
nce Code

July 31, 2018

Community Resources Agency

As it stands now, we strongly opposed this land development project. Should you address my concerns listed below, I might change my mind.

Kelly Drive is TOTALLY maintained by the Quail Ridge Ranch Homeowners Association. The Gardella family/Dietrich family have used Kelly Drive ever since they built their homes. They have paid absolutely nothing to use Kelly. Kelly Drive was not designed for heavy traffic.

Is this new project going to use Kelly for ingress/egress? If so, both families need to pay into the Quail Ridge Ranch Road Fund. And any future property owner of the four parcels referenced must be obligated to contribute to the fund. Why should Quail Ridge Ranch bear full responsibility?

Might Fir Drive be the main ingress/egress?

Will the new parcels be on well water? That will impact our wells which now produce much less water than 5 years ago. This is the same issue that was presented by the planned Red Tail Ridge subdivision.

Does the County want to take Kelly Drive into the county road system?

It is unclear if the rezoning of the property is going to result in mobile homes, or homes.

It appears to us that this project benefits the Gardella/Dietrich families and is detrimental to Quail Ridge Ranch property owners.

Sincerely,

Reese/Linda Kofoed

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AUG 02 2018

COUNTY OF TULUMINE
Community Resources Agency



Objection *Conditional*
COMMUNITY RESOURCES
Addendum **AGENCY**

mark
8/1/18
 David Gonzales, CB
 Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

8/10/18

July 27, 2018

RECEIVED

To: Adjoining Property Owners

From: Kimberly Ballachey, Project Planner

AUG 14 2018

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 Monica Frere and Stephen Dietrich
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 Assessor's Parcel Number 044-590-001 and 044-590-003

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

"This project will most likely increase traffic within the Quail Ridge Ranch development, specifically Cabezut Rd and Kelly Dr (a private road maintained by QRR HOA). As homeowners we believe the property owner(s) named in the notification should be required to participate in setting aside funds toward maintaining the roads leading to the properties. QRR HOA has established a road fund for this purpose. QRR homeowners contribute to the fund annually."

Ann Wendell
 Your Name(s)

13530 Cabezut Rd
 Mailing Address

Michael Maiman

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.

650 642 5072

Zone change 044-590-001 and 044-590-003

We are opposed to this subdivision without further information as to how this would impact our community.

Question we need answer to include and this may not be all inclusive depending on the answer to the question.

What will be the change in traffic and how they will help pay for the maintenance of Kelly dr.

We currently have a problem with cars coming from those lots speeding through the neighborhood. How will that be controlled?

What will heavy trucks going in and out on Kelly do to the road and who will pay for damage?

What additional liability does the HOA have?

What insurance will the HOA have to have to protect itself?

What will be the environmental impact of additional traffic?

Is there the possibility of further subdivision of lots and additional traffic?

It seems that there is potential for significant downside and No upside for our community with the current proposal.

Ann Wendell and Michael Maiman

13530 Cabezut Rd, Sonora, CA



COMMUNITY RESOURCES AGENCY

David Gonzales, CE
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid W

July 27, 2018

RECEIVED

To: Adjoining Property Owners

From: Kimberly Ballachey, Project Planner

AUG 09 2018

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Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

I would like to know the purpose for the re-zoning & intent. Please present a plan of intent. Do not wish to see traffic increased on Fir Dr. This impacts our neighbor's road.
Your Name(s) *Mary Beth* Mailing Address *12913 Chaparral Rd Sonora, 95370*

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.



COMMUNITY RESOURCES AGENCY

David Gonzales, CJ
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid W

July 27, 2018

RECEIVED

AUG 10 2018

To: Adjoining Property Owners
From: Kimberly Ballachey, Project Planner
RE: Christopher and Denise Gardella, Elizabeth Dietrich,
Monica Frere and Stephen Dietrich
Zone Change RZ18-006 and Tentative Parcel Map T18-024
Assessor's Parcel Number 044-590-001 and 044-590-003

48 Yaney Avenue, So
Mailing: 2 S. Green S
Sonora, CA. 9:
(209) 533-:
(209) 536-1622 (F
(209) 533-5616
(209) 533-5909 (fax - H
(209) 588-9064 (fax - F
(209) 533-5698 (fax - Rc
www.tuolumnecounty.ca.gov

COUNTY OF TUOLUMNE
Community Resources Agency

The Tuolumne County Community Resources Agency requests your assistance in reviewing this land development project proposed near your property. We value your comments and participation in our planning process. Your participation at this early stage can eliminate or minimize conflicts that may arise from the project proposed.

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The project site is located at 19920 and 19930 Kelly Drive and 13050 Fir Drive in the community of Sonora, approximately 1120± feet southwest of the intersection of Cabezut Road and Kelly Drive. The parcel is located within a portion of Section 32, Township 2 North, Range 15 East, Mount Diablo Base and Meridian. Assessor's Parcel Number 044-590-001 and 044-590-003. Supervisorial District 1.

Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

I am curious as to why the owners want to rezone; i.e., what are their plans for the land if it is rezoned?

Sean Brennan
Your Name(s)

13493 Cabezut Rd.
Mailing Address

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.



COMMUNITY RESOURCES AGENCY

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below: *This project will increase traffic within the QRR development, specifically Cabezut Rd & Kelly Dr (a private road maintained by QRR HOA). As homeowners we believe the property owners named herein should be required to participate in setting aside funds toward maintaining the roads leading to the properties. QRR HOA has established a road fund for this purpose. QRR homeowners contribute to the fund annually.*

Levi & Anne Jimenez

Your Name(s)

13440 CABEZUT RD., SONORA, CA 95370

Mailing Address

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.

* QRR QUAIL RIDGE RANCH
† HOA HOMEOWNERS ASSOCIATION

August 2, 2018

To:

Kim Ballachey
Community Resources Agency
2 S. Green Street
Sonora, CA 95370
209-533-5935

Dear Ms Ballachey,

This letter is in reference to the land development project Zone Change RZ18-006 and Tentative Parcel Map T18-024, dated July 27, 2018.

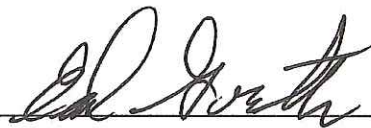
We have lived in the Quail Ridge Ranch (QRR) development on Cabezut Road since 2001. Since 2001 and up to current year 2018 we have paid into an annual road maintenance fund, along with all the other QRR members. This fund is for the upkeep of all private roads in our QRR development, including Kelly Drive. The only road in QRR not included is Cabezut Road which is a County maintained.

I bring the above to your attention, because between 2001 and 2018, which is the time we are aware of, property owners Christopher and Denise Gardella, Elizabeth Dietrich, Monica Frere and Stephen Dietrich have never made any payment towards the maintenance of Kelly Drive, yet they or the tenants that live there, use Kelly Drive daily.

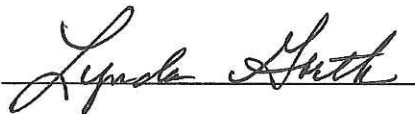
We feel it is unfair the above mentioned have the use of Kelly Drive, at our QRR property owners expense.

Now with this proposed project, we will have additional parties using Kelly Drive, again, at QRR property owner's expense. Because of this unpaid use of Kelly Drive and additional usage due to this proposed project, we object to the project, unless Kelly Drive is converted to a County maintained road.

Ed Gorth



Lynda Gorth



13613 Cabezut Road
Sonora, CA 95370
209-770-2113, 209-770-2114

Kimberly Ballachey

From: Matthew Gass <matthewgass@sbcglobal.net>
Sent: Friday, August 03, 2018 4:40 PM
To: Kimberly Ballachey
Cc: Patti Rittenhouse; Heidi Steelman
Subject: Comments on Proposed Zone Change RZ18-006 and Tentative Parcel Map T18-24
Matthew Gass P.E.
Attachments: CIVIL CODE for ROW.docx

I am writing this email to provide my comments on the proposal dated July 27, 2018 on the subject proposed zoning and parcel changes. I am writing as the co-owner of an adjacent lot to the proposed action. My residence is at 19941 Kelly Drive, Sonora Ca.

The proposed changes might increase traffic and usage of the Kelly Drive that is currently maintained by the Quail Ridge Ranch HOA. There are known issues with this portion of the HOA maintained road system. The HOA has done some recent investigations into the needed repairs and maintenance on all the HOA roads in the subdivision and the County maintained Cabezut Road. Future lots specifically with access over Kelly Drive, might ultimately provide access to any new lots or building activity. As of this date these lots and their owners have not been asked to contribute to any of the planned road maintenance.

I would request that the County look into any options to have any additional developed parcels with direct access to Kelly Drive be required to pay into a maintenance pool for the current and future maintenance costs of Kelly Drive. I believe that the HOA directors and their members might support a one time development fee to paid to the HOA to be earmarked for road maintenance. The current costs for some much needed road dig-out and chip sealing for the subdivision was recently priced out over \$100,000. The estimate was provided by George Reed. Areas of the proposed dig-out are marked on both County and HOA roads.

In the past, the HOA roads have been maintained using chip seal, selective dugout of problem areas and drainage ditch maintenance. I would like the County to formalize the requirement that any new parcels be required to pay for road maintenance, specifically any additional lots using Kelly Drive as their primary access. I have attached a copy of the California Civil Code pertaining to the cost sharing obligations for a shared ROW. I would not wish to have the HOA to go to small claims court for any non-payment for the upcoming repairs of Kelly Drive.

Another option for any parcel development that will be using both Kelly Drive and Cabezut Road would be to assess each new parcel for a lump sum and then direct that funding only to the repair of the failing pavement sections on the County maintained Cabezut Road within the subdivision. I am open to walking both Kelly Drive and Cabezut Road with any County representatives to point out the areas of the road that have been identified for base and pavement replacement.

Best regards,

Matthew Gass P.E.
Box 3955 Sonora, CA 95370
Street Address 19941 Kelly Drive, Sonora CA
209 768-6986 Cell
[Home - Hydro Matthew Gass](#)



COMMUNITY RESOURCES AGENCY

David Gonzales, CI
Director

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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

I AM NOT AGAINST THE PROPERTY DIVISION
BUT AM CONCERNED ABOUT PRESERVING THE
BEAUTIFUL OAK TREES, WILL THIS BE ADDRESSED
WHEN THE LOTS ARE SPLIT, THANK YOU.

LINDA L. LACROSSE

11715 SOUTH LAKE SONORA, CA

Your Name(s)

Mailing Address

OWNER OF 12915 MTVIEW RD SONORA

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

For additional information relative to this project, please contact me by telephoning (209) 533-5935 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available in Title 17 of the Ordinance Code found on the Tuolumne County website, www.tuolumnecounty.ca.gov.



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Because you own property located within 1000 feet of the project site, we would like your opinion of this proposed project. Please provide your comments below:

*I have no objection to the proposed zone change
to parcel split as it is currently proposed.
If in the future a Residential Sub-division occurs
I would like to see Road usage mitigations Required
for Quail Ridge Road use.*

Your Name(s) *Steve Dietrich*

Mailing Address *19920 Kelly Dr, Sonora.*

If we do not receive your comments by Monday August 10, 2018 we will assume that you have no objections. Thank you for your assistance with the proposed project.

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